

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CARMEN RILEY, *et al.*,

Plaintiffs,

v.

WARDEN BRIAN CLARK, *et al.*,

Defendants.

No. 4:20-CV-00325

(Chief Judge Brann)

ORDER

MARCH 31, 2025

In accordance with the accompanying Memorandum Opinion, **IT IS HEREBY ORDERED** that:

1. Magistrate Judge William I. Arbuckle's February 18, 2025 Report and Recommendation (Doc. 247) is **ADOPTED** in part and **REJECTED** in part.
 - a. Matthew Danner and Angela Swanson's Motion for Summary Judgment (Doc. 157) is **GRANTED** in part and **DENIED** in part.
 - b. PrimeCare Medical, Inc.'s Motion for Summary Judgment (Doc. 160) is **GRANTED** in full.
 - c. The Susquehanna Township Defendants' (Michael Darcy, Demetrius Glenn, Christopher Haines, Richard Wilson) Motion for Summary Judgment (Doc. 164) is **GRANTED** in full.

- d. The Dauphin County Defendants' (Jason Adams, Richard Armermann, Delta Bauer, Keith Biter, Michael Blouch, Brian Clark, Dauphin County, Tami Donovan, Taylor Glenn, Scott Grieb, Keith Hoffman, Robert Ingersoll, Andrew Klahr, Scott Lewis, Greg Mendenhall, Martin Myers, Mark Neidigh, Steve Singleton, Steve Smith, Cameron Weaver) Motion for Summary Judgment (Doc. 173) is **GRANTED** in part and **DENIED** in part.
2. As to Count I, Conspiracy under 42 U.S.C. § 1983:
 - a. The Report and Recommendation is **ADOPTED** in full; and
 - b. Summary judgment is **GRANTED** in favor of all defendants.
3. As to Count II, Conspiracy under 42 U.S.C. § 1983:
 - a. The Report and Recommendation is **ADOPTED** in full; and
 - b. Summary judgment is **GRANTED** in favor of all defendants.
4. As to Count III, Use of Excessive Force under 42 U.S.C. § 1983:
 - a. The Report and Recommendation is **ADOPTED** in full; and
 - b. Summary judgment is **GRANTED** in favor of all defendants.
5. As to Count IV, Failure to Intervene under 42 U.S.C. § 1983:
 - a. The Report and Recommendation is **ADOPTED** in full; and
 - b. Summary judgment is **GRANTED** in favor of all defendants.

6. As to Count V, Use of Excessive Force under 42 U.S.C. § 1983:
 - a. The Report and Recommendation is **ADOPTED** as to defendants Steve Smith, Mark Neidigh, Robert Ingersoll, Cameron Weaver, Greg Mendenhall, Richard Armermann, and Scott Lewis;
 - b. The Report and Recommendation is **REJECTED** as to defendants Delta Bauer, Scott Grieb, Jason Adams, Michael Blouch, Taylor Glenn, Martin Myers, Andrew Klahr, Keith Biter, Steve Singleton, Keith Hoffman, and Matthew Danner;
 - c. Defendants Steve Smith, Mark Neidigh, Delta Bauer, Scott Grieb, Richard Armermann, Jason Adams, Michael Blouch, Taylor Glenn, Martin Myers, Andrew Klahr, Keith Biter, Steve Singleton, Keith Hoffman, Matthew Danner's motions for summary judgment are **GRANTED**; and
 - d. Defendants Robert Ingersoll, Cameron Weaver, Greg Mendenhall, and Scott Lewis's motions for summary judgment are **DENIED**.
7. As to Count VI, Failure to Intervene under 42 U.S.C. § 1983:
 - a. The Report and Recommendation is **ADOPTED** as to defendants Steve Smith, Mark Neidigh, Cameron Weaver, Greg Mendenhall, Delta Bauer, Scott Grieb, Andrew Klahr, Keith Biter, Steve Singleton, Keith Hoffman, and Matthew Danner;

- b. The Report and Recommendation is **REJECTED** as to defendants Robert Ingersoll, Richard Armermann, Jason Adams, Michael Blouch, Taylor Glenn, Martin Myers, Scott Lewis, Angela Swanson, and Tami Donovan;
 - c. Defendants Steve Smith, Mark Neidigh, Robert Ingersoll, Richard Armermann, Jason Adams, Michael Blouch, Taylor Glenn, Martin Myers, Scott Lewis, Angela Swanson, and Tami Donovan's motions for summary judgment are **GRANTED**; and
 - d. Defendants Cameron Weaver, Greg Mendenhall, Delta Bauer, Scott Grieb, Andrew Klahr, Keith Biter, Steve Singleton, Keith Hoffman, and Matthew Danner's motions for summary judgment are **DENIED**.
8. As to Count VII, Failure to Train and Supervise under 42 U.S.C. § 1983:
- a. The Report and Recommendation is **ADOPTED** as to defendant Dauphin County;
 - b. The Report and Recommendation is **REJECTED** as to defendants Brian Clark, Steve Smith, Mark Neidigh, Greg Mendenhall, Scott Grieb, Richard Armermann, Andrew Klahr, Jason Adams, Michael Blouch, Scott Lewis, and Keith Biter; and
 - c. Summary judgment is **GRANTED** in favor of all defendants.

9. As to Count VIII, Failure to Provide Medical Care under 42 U.S.C. § 1983:
 - a. The Report and Recommendation is **ADOPTED** in full; and
 - b. Summary judgment is **GRANTED** in favor of all defendants.
10. As to Count IX, Medical Negligence:
 - a. The Report and Recommendation is **REJECTED** in full; and
 - b. Defendant PrimeCare Medical, Inc.'s motion for summary judgment is **GRANTED**.
11. As to Count X, Intentional Infliction of Emotional Distress:
 - a. The Report and Recommendation is **REJECTED** in full; and
 - b. Summary judgment is **GRANTED** in favor of all defendants.
12. As to Count XI, Assault:
 - a. The Report and Recommendation is **ADOPTED** as to defendants Steve Smith, Mark Neidigh, Christopher Haines, Robert Ingersoll, Cameron Weaver, Greg Mendenhall, Delta Bauer, Scott Grieb, Richard Armermann, Scott Lewis;
 - b. The Report and Recommendation is **REJECTED** as to defendants Jason Adams, Michael Blouch, Taylor Glenn, Martin Myers, Andrew Klahr, Steve Singleton, Keith Hoffman, and Matthew Danner;

- c. Defendants Steve Smith, Mark Neidigh, Christopher Haines, Delta Bauer, Scott Grieb, Richard Armermann, Jason Adams, Michael Blouch, Taylor Glenn, Martin Myers, Andrew Klahr, Keith Biter, Steve Singleton, Keith Hoffman, and Matthew Danner's motions for summary judgment are **GRANTED**; and
 - d. Defendants Robert Ingersoll, Cameron Weaver, Greg Mendenhall, and Scott Lewis's motions for summary judgment are **DENIED**.
13. As to Count XII, Battery:
- a. The Report and Recommendation is **ADOPTED** as to defendants Steve Smith, Mark Neidigh, Robert Ingersoll, Cameron Weaver, Greg Mendenhall, Delta Bauer, Scott Grieb, Richard Armermann, Scott Lewis;
 - b. The Report and Recommendation is **REJECTED** as to defendants Jason Adams, Michael Blouch, Taylor Glenn, Martin Myers, Andrew Klahr, Steve Singleton, Keith Hoffman, and Matthew Danner;
 - c. Defendants Steve Smith, Mark Neidigh, Delta Bauer, Scott Grieb, Richard Armermann, Jason Adams, Michael Blouch, Taylor Glenn, Martin Myers, Andrew Klahr, Keith Biter, Steve Singleton, Keith Hoffman, and Matthew Danner's motions for summary judgment are **GRANTED**; and

- d. Defendants Robert Ingersoll, Cameron Weaver, Greg Mendenhall, and Scott Lewis's motions for summary judgment are **DENIED**.

14. As to Count XIII, Wrongful Death:

- a. The Report and Recommendation is **ADOPTED** as to defendants Dauphin County, Michael Darcy, Demetrius Glenn, Richard Wilson, Christopher Haines, Andrew Klahr, Scott Lewis, Keith Biter, Steve Singleton, Keith Hoffman, and Matthew Danner;
- b. The Report and Recommendation is **REJECTED** as to defendants Brian Clark, Steve Smith, Mark Neidigh, PrimeCare Medical, Robert Ingersoll, Cameron Weaver, Greg Mendenhall, Delta Bauer, Scott Grieb, Richard Armermann, Jason Adams, Michael Blouch, Glenn, Martin Myers, Tami Donovan, and Angela Swanson;
- c. Defendants Dauphin County, Brian Clark, Steve Smith, Mark Neidigh, PrimeCare Medical, Michael Darcy, Demetrius Glenn, Richard Wilson, Christopher Haines, Robert Ingersoll, Cameron Weaver, Greg Mendenhall, Delta Bauer, Scott Grieb, Richard Armermann, Jason Adams, Michael Blouch, Taylor Glenn, Martin Myers, Tami Donovan, and Angela Swanson's motions for summary judgment are **GRANTED**; and

- d. Defendants Andrew Klahr, Scott Lewis, Keith Biter, Steve Singleton, Keith Hoffman, and Matthew Danner's motions for summary judgment are **DENIED**.

15. As to Count XIV, Survivor Act:

- a. The Report and Recommendation is **ADOPTED** as to defendants Dauphin County, Michael Darcy, Richard Wilson, Demetrius Glenn, Christopher Haines, Andrew Klahr, Greg Mendenhall, Scott Grieb, Scott Lewis, Keith Biter, Robert Ingersoll, Cameron Weaver, Delta Bauer, Steve Singleton, Keith Hoffman, and Matthew Danner;
- b. The Report and Recommendation is **REJECTED** as to defendants Brian Clark, Steve Smith, Mark Neidigh, PrimeCare Medical, Richard Armermann, Jason Adams, Michael Blouch, Taylor Glenn, Martin Myers, Tami Donovan, and Angela Swanson;
- c. Defendants Dauphin County, Brian Clark, Steve Smith, Mark Neidigh, PrimeCare Medical, Michael Darcy, Demetrius Glenn, Richard Wilson, Christopher Haines, Richard Armermann, Jason Adams, Michael Blouch, Taylor Glenn, Martin Myers, Tami Donovan, and Angela Swanson's motions for summary judgment are **GRANTED**; and

- d. Defendants Robert Ingersoll, Cameron Weaver, Greg Mendenhall, Delta Bauer, Scott Grieb, Andrew Klahr, Scott Lewis, Keith Biter, Steve Singleton, Keith Hoffman, and Matthew Danner's motions for summary judgment are **DENIED**.

16. The Clerk of Court is directed to terminate the following defendants:

- a. Susquehanna Township John Doe Police Officers 1-5;
- b. PrimeCare John Doe Medical Employees 1-5;
- c. Dauphin County Prison John Doe Correctional Officers 1-10;
- d. Susquehanna Township John Doe 911 Operator;
- e. Michael Darcy;
- f. Demetrius Glenn;
- g. Richard Wilson;
- h. Christopher Haines;
- i. PrimeCare Medical, Inc.;
- j. Dauphin County;
- k. Brian Clark;
- l. Steve Smith;
- m. Mark Neidigh;
- n. Jason Adams;
- o. Michael Blouch;
- p. Richard Armermann;

- q. Taylor Glenn;
 - r. Martin Myers;
 - s. Angela Swanson; and
 - t. Tami Donovan.
17. The Court shall schedule a telephonic status conference with counsel of record by separate Order.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann
Chief United States District Judge